

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LILIANA BARRIOS-CONTRERAS,

Plaintiff,

-against-

BIG FISH ENTERTAINMENT, LLC, also known  
as “MTV Entertainment Studios”; DAN  
CESAREO; RASHEED DANIELS; MAX  
MILLER; CHARMAINE WALKER, also known  
as “Charmaine Bey”; VAN JOHNSON; COREY  
ROBINSON, also known as “Phor”; DOES I  
THROUGH X, INCLUSIVE; ROE,

Defendants.

23-CV-5821 (JGLC)

ORDER OF SERVICE

JESSICA G. L. CLARKE, United States District Judge:

Plaintiff brings this *pro se* action under Title VII of the Civil Rights Act of 1964, and the New York State and New York City Human Rights Laws, alleging that her employer discriminated against her based on her sex and race. Plaintiff also asserts claims under state law for defamation, slander, and intentional infliction of emotional distress. By order dated August 1, 2023, the Court granted Plaintiff’s request to proceed *in forma pauperis* (IFP), that is, without prepayment of fees. On August 4, 2023, the Court ordered the Clerk of Court to issue summonses for Defendants Big Fish Entertainment, LLC and Dan Cesareo and to complete and deliver all documents necessary to effect service to the U.S. Marshals Service. The Court additionally directed Plaintiff to provide the service addressed for Defendants Daniels, Miller, Walker, Johnson, and Robinson.

On August 11, 2023, Plaintiff filed with the Court a document containing addresses at which Defendants Daniels, Miller, Walker, Johnson, and Robinson may be served. (EFC No. 8).

## DISCUSSION

### A. Service on Remaining Defendants

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service.<sup>1</sup> *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Plaintiff to effect service on Defendants Daniels, Miller, Walker, Johnson, and Robinson through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for these defendants. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon these defendants.

If the complaint is not served within 90 days after the date the summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

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<sup>1</sup> Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have served summonses and the complaint until the Court reviewed the complaint and ordered that summonses be issued. The Court therefore extends the time to serve until 90 days after the date summonses are issued.

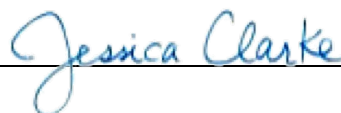
**CONCLUSION**

The Clerk of Court is instructed to issue summonses for Rasheed Daniels, Max Miller, Charmaine Walker, Van Johnson, and Corey Robinson, complete the USM-285 forms with the addresses for these defendants, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is also directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: August 15, 2023  
New York, New York



JESSICA G. L. CLARKE  
United States District Judge

**DEFENDANTS AND SERVICE ADDRESSES**

1. Rasheed Daniels  
Big Fish Entertainment, LLC  
1411 Broadway  
New York, New York 10018
2. Max Miller  
Big Fish Entertainment, LLC  
1411 Broadway  
New York, New York 10018
3. Charmaine Walker  
Big Fish Entertainment, LLC  
1411 Broadway  
New York, New York 10018
  - a. Charmaine Walker  
WGCI  
233 N Michigan Avenue #2800  
Chicago, Illinois 60601
  - b. Charmaine Walker  
Bey Moss, LLC  
225 W Armitage Avenue  
Chicago, Illinois 606057
4. Van Johnson  
Big Fish Entertainment, LLC  
1411 Broadway  
New York, New York 10018
5. Corey Robinson  
Big Fish Entertainment, LLC  
1411 Broadway  
New York, New York 10018